

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

DAN HENRY TIJERINA SR.,) **MEMORANDUM DECISION &**
Plaintiff,) **DISMISSAL ORDER**
v.) Case No. 2:10-CV-529 TS
TOM PATTERSON et al.,) District Judge Ted Stewart
Defendants.)

On January 10, 2011, the Court ordered Plaintiff to within thirty days file a second response to Defendants' Motion to Dismiss. Plaintiff has not complied. The Court has not heard from Plaintiff since August 4, 2010, when he filed a letter and a motion to compel discovery.

IT IS THEREFORE ORDERED that Plaintiff's complaint is dismissed for failure to comply with the Court's order and failure to prosecute.¹

DATED this 11th day of February, 2011.

BY THE COURT:



CHIEF JUDGE TED STEWART
United States District Court

¹See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 370 U.S. 626, 630-31, 82 S. Ct. 1386, 1388-89 (1962); Olsen v. Mapes, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003).